

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PETER HOBSON,)	
)	Civil Action
Plaintiff)	No. 08-CV-05652
)	
vs.)	
)	
ST. LUKE'S HOSPITAL AND)	
HEALTH NETWORK,)	
)	
Defendant)	

O R D E R

NOW, this 28th day of September, 2009, upon
consideration of the following pleadings and briefs:

- (1) Defendant's Motion to Dismiss the Complaint, or in the Alternative, for Summary Judgment, which motion was filed December 12, 2008;
- (2) Memorandum of Law in Support of Defendant's Motion to Dismiss the Complaint, or in the Alternative, for Summary Judgment, which memorandum was filed December 12, 2008;
- (3) Plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Dismiss the Amended Complaint or in the Alternative for Summary Judgment, which memorandum was filed December 26, 2008; and
- (4) Defendant's Reply Brief filed January 23, 2009;

and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that defendant's motion to dismiss plaintiff's complaint is granted.

IT IS FURTHER ORDERED that plaintiff's Complaint is dismissed without prejudice for plaintiff to file a more specific

Amended Complaint, consistent with the accompanying Opinion, on or before October 23, 2009.

IT IS FURTHER ORDERED that defendant's alternative motion for summary judgment is dismissed as moot without prejudice for defendant to refile a motion for summary judgment at the close of discovery.

IT IS FURTHER ORDERED that defendant's request for attorneys' fees and costs is denied.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge